

FORM PTO-1390 (REV. 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER  USV-3.2.003/3909	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">09/857077</div>	
INTERNATIONAL APPLICATION NO. PCT/IB00/01404		INTERNATIONAL FILING DATE 02 October 2000 (02-10-00)		PRIORITY DATE CLAIMED 02 October 2000 (02-10-00)	
TITLE OF INVENTION SUSTAINED RELEASE PHARMACEUTICAL COMPOSITIONS CONTAINING METFORMIN AND METHOD OF ITS PRODUCTION.					
APPLICANT(S) FOR DO/EO/US <u>Gidwani, Suresh Kumar; Singnurkur, Purushottam; Tewari, Prashant Kumar</u>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>					
<b>Items 11 to 20 below concern document(s) or information included:</b>					
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: - Certificate of Express Mail 37 CFR 1.10</li> <li>21. x Other - Acknowledgment Postcard</li> </ol>					

PCT/IB00/01404

02 OCTOBER 2000

PCT/PTO 31 MAY 2001  
USV-3.2.003/3909☒ The following fees are enclosed:

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

\$ 860

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	14 - 20 =	0	x \$18.00	\$ 0
Independent claims	2 - 3 =	0	x \$80.00	\$ 0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 0

\$

\$ 0

\$ 0

\$ 0

**TOTAL OF ABOVE CALCULATIONS =**

\$ 860

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$

+

**SUBTOTAL =**

\$ 860

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$ 860

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ 40

**TOTAL FEES ENCLOSED =**

\$ 900

Amount to be  
refunded:

\$

charged:

\$

- a. ☒ A check in the amount of \$ 900 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 03-2317. A duplicate copy of this sheet is enclosed.

☐

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Cobrin & Gittes  
750 Lexington Avenue  
New York, N.Y. 10022  
Phone: (212) 486-4000

SIGNATURE

Robert J. Hess

NAME

32,139

REGISTRATION NUMBER

09/857077

Applicants: Suresh Kumar GIDWANI et al  
Title: **SUSTAINED RELEASE PHARMACEUTICAL  
COMPOSITIONS CONTAINING METFORMIN  
AND METHOD OF ITS PRODUCTION**  
Filed: Concurrently herewith

**Docket: USV-3.2.003/3909**  
**RJH:lsH**

US National Phase of Int'l App PCT/IB00/01404 filed 02 October 2000

Enclosures: 1. Transmittal Letter to the United States Designated/Elected Office  
2. Declaration and Power of Attorney  
3. Assignment and Recordal Cover Sheet  
4. Certificate of Express Mail Under 37 CFR 1.10  
5. Return Receipt Postcard  
6. Check: \$900.00

**CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10**

I, Rosemarie Medina, do hereby certify that the foregoing documents are  
being deposited with the United States Postal Service as Express Mail, postage prepaid,  
in an envelope addressed to BOX PCT-RO (DO/EO/US) - on this date of **May 31, 2001**.

Signature: Rosemarie Medina  
Rosemarie Medina

EL781391855 US  
Express Mail Label Number

May 31, 2001  
Date of Deposit